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MEMO ENDORSED

January 19, 2011

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By Hand

Honorable Denise Cote
United States District Judge
United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007

Re: *In re Application of AT&T Wireless f/k/a Cingular Wireless*, 09 Civ. 7072, related
to *United States v. Am. Soc'y of Composers, Authors & Publishers*, 41 Civ. 1395

Dear Judge Cote:

We represent AT&T Mobility in the above-referenced litigation.¹ We write with ASCAP's consent to request a short extension of time to finalize the agreements implementing the binding term sheet that settled this proceeding. We also write to seek confirmation as to how Your Honor would like to address certain, limited confidentiality issues associated with the parties filing of their agreements.

Your Honor gave the parties until January 19, 2011 to submit a stipulation of dismissal, which is currently drafted to attach executed copies of the settlement agreements over which the parties have agreed the Court should retain jurisdiction, subject to resolution of the confidentiality issue described below. The parties have resolved all of the principal issues and are in the process of preparing final drafts of the agreements for signature. The parties respectfully jointly request until Wednesday, February 9, 2011 to finalize the agreements and to obtain the necessary signatures.

The parties also seek the Court's instructions on whether it will permit AT&T Mobility to propose redactions to the copies of the agreements over which the parties have agreed the Court should retain jurisdiction. As explained at the October 26, 2010 status conference, AT&T Mobility respectfully requests that the Court retain jurisdiction over the parties' settlement agreements, but allow the parties the opportunity to propose limited redactions to those agreements in those instances where public dissemination of information may place AT&T

¹ Kilpatrick Stockton LLP has changed its name, effective January 1, 2011, to Kilpatrick Townsend & Stockton LLP.

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Mobility or ASCAP at a competitive disadvantage. For example, AT&T Mobility would propose redacting dollar figures in situations where AT&T Mobility's competitors could use such information to extrapolate revenue associated with AT&T Mobility services. I believe that Your Honor, during the status conference, was receptive to allowing the parties to propose limited redactions to the agreements filed with the Court, but if this is not the case, we respectfully request that the Court advise how it would like the parties to proceed on this issue.

We thank the Court for its attention to this matter.

Respectfully submitted,



Joseph Petersen

cc: David Leichtman, Esq.
Hillel I. Parness, Esq.
Joseph M. Beck, Esq.
W. Andrew Pequignot, Esq.

*The requests for an extension to February 19
and for the proposed limited
redactions are granted.*

*Denise Cote
January 19, 2011*